

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
Filed: April 8, 2013

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| * * * * * | * | UNPUBLISHED |
| SHANNON TATUM, | * | |
| | * | No. 12-483V |
| Petitioner, | * | |
| | * | |
| | * | Special Master Dorsey |
| v. | * | |
| | * | Attorneys' Fees and Costs; |
| SECRETARY OF HEALTH | * | Reasonable Amount Requested to which |
| AND HUMAN SERVICES, | * | Respondent Does not Object. |
| | * | |
| Respondent. | * | |
| | * | |
| * * * * * | * | |

Donald P. Edwards, Law Office of Donald P. Edwards, Atlanta, GA, for petitioner.
Tara J. Kilfoyle, U.S. Dep't of Justice, Washington, D.C., for respondent.

ATTORNEYS' FEES AND COSTS DECISION¹

On August 1, 2012, petitioner filed a petition for compensation under the National Vaccine Injury Compensation Program ("Vaccine Program")², alleging that he suffered from Guillain-Barré Syndrome ("GBS") as a result of receiving an influenza vaccination on September 11, 2009. Petitioner stated that he experienced the residual effects of his injuries for more than six months. Petition at ¶ 4. On March 18, 2013, the undersigned issued a decision, based on the parties' stipulation, awarding compensation to petitioner.

¹ Because this decision contains a reasoned explanation for the undersigned's action in this case, the undersigned intends to post this decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction "of any information furnished by that party: (1) that is a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b). Otherwise, the entire decision will be available to the public. Id.

² The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755, codified as amended, 42 U.S.C. §§ 300aa-1 to -34 (2006) ("Vaccine Act" or "Act"). All citations in this decision to individual sections of the Act are to 42 U.S.C.A. § 300aa.

On April 5, 2013, the parties filed a Stipulation of Fact Concerning Attorneys' Fees and Costs. According to the stipulation, respondent does not object to a total award of attorneys' fees and costs in the amount of \$17,512.15. In accordance with General Order #9, petitioner filed a statement stating that he incurred no out-of-pocket expenses in pursuing his petition.

The Vaccine Act permits an award of reasonable attorneys' fees and costs. 42 U.S.C. § 300 aa-15(e). Based on the reasonableness of petitioner's request and respondent's counsel's lack of objection to petitioner's counsel's fee request, the undersigned **GRANTS** petitioner's motion for approval and payment of attorneys' fees and costs.

Accordingly, an award should be made in the form of a check jointly payable to petitioner and the law firm of Law Offices of Donald P. Edwards in the amount of **\$17,512.15.**

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in accordance with the terms of the parties' stipulation.³

IT IS SO ORDERED.

s/Nora Beth Dorsey
Nora Beth Dorsey
Special Master

³ Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties' joint filing of notice renouncing the right to seek review.